
EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that the appointed day for the coming into force of the Animal Health and Welfare (Scotland) Act 2006 (“the Act”) except sections 53 to 55 (which came into force on Royal Assent) and those sections specified in article 2(a) and (b) is 6th October 2006. Article 3 provides that schedule 2 paragraph 9(d) is commenced only for the purpose of the repeal of section 3 (pets not to be sold to children under twelve years of age) of the Pet Animals Act 1951.

Section 20(1) to (3) shall come into force once the regulations providing exemptions to the offences created by those provisions are in force. Schedule 2, paragraphs 6 and 9(b), (d) (except as commenced by article 3), (h) to (l), (n), and (p) shall also come into force once secondary legislation has been made to replace the provisions of the primary legislation to be repealed by those provisions.

Article 4(1) contains savings and transitional provisions considered necessary or expedient for the purposes of, or in connection with, the Act. Paragraph (1) makes provision for section 40(11) of the Act to apply in respect of breaches of disqualification orders imposed under section 1 of the Protection of Animals (Amendment) Act 1954 as it does to breaches of disqualification orders imposed under section 40(1) of the Act and applies and adopts sections 39, 41 and 42 of the Act for that purpose.

Article 4(2) makes provision in relation to the Codes of Recommendations issued under section 3 of the Agriculture (Miscellaneous Provisions) Act 1968 by providing for them to be treated as made under section 37 of the Act. Copies of the Codes of Recommendations can be obtained from the Scottish Executive Environment and Rural Affairs Department, Room 350, Pentland House, 47 Robb’s Loan, Edinburgh, EH14 1TY.

Article 4(3) provides for the retention of sections 2, 6, 7 and 8 of the Agriculture (Miscellaneous Provisions) Act 1968 for the purposes of the Welfare of Farmed Animals (Scotland) Regulations 2000 and the Welfare of Livestock (Prohibited Operations) Regulations 1982.